

GOVERNMENT OF TELANGANA
ABSTRACT

Energy Department - Land Acquisition - The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, 2013 (Telangana Amendment Act, 2016) - Acquisition assigned land to an extent of Ac.49.21 Gts at Chelpur(V), Ghanpur(M), Jayashankar Bhupalapally District for construction of belt conveyor, auxiliaries & coal storage shed - Exemption from conducting SIA Study under Chapter II and III of RFCTLARR Act, 2013 - Publication of Gazette Notification in Form - A -Orders - Issued.

ENERGY (BUDGET/A1) DEPARTMENT

G.O.Ms.No. 12

Dated: 25-07-2019

Read the following:-

1. RFCTLARR Act, 2013 (Central Act No.30 of 2013).
2. RFCTLARR (Telangana Amendment) Act, 2016 (Act No.21 of 2017).
3. The Telangana State Land Acquisition (Consent Award, Voluntary acquisition and Lump-sum Payment towards R&R) Rules, 2017.
4. From the Chairman & Managing Director, TSGENCO, Lr.No.CMD/TSGENCO/CE/C/T/KTPP-II/F.KTPP/D.No.61 /19, Dated:10.06.2019.

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ORDER:-

In terms of Chapter II of the RFCTLARR Act, 2013, 1st read above, whenever the Government intends to acquire land for a public purpose, Social Impact Assessment (SIA) study should be carried out in the affected area in consultation with respective local body.

2. In the reference 4th read above, the Chairman & Managing Director, TSGENCO has informed that the requisitions were filed by the Executive Engineer/Civil/APGENCO during 10/2006 for acquisition of land to an extent of Ac.128-27 Gts (Patta land Ac.79-20 Gts, Assigned land Ac.49.21 Gts.) in Chelpur village for construction of belt conveyor, auxiliaries & Coal storage shed for 1x600 MW KTPP, Stage-II at Chelpur (V) Ghanpur (M), Jayashankar (Bhupalapally) District and an amount of Rs.11.55 Crore was deposited during 06/2009 & 06/2013 with the RDO & Sub-Collector/LAO/Mulugu towards land compensation for acquisition of above lands. The RDO/Mulugu vide Proc dt:11.07.2013 has issued resumption orders in respect of Ac.49.21 Gts Govt./Assigned land and the entire lands was taken by the Tahsildar/Ghanpur(M) vide charge certificate No.A/1829, dated:26.06.2009 and handed over to TSGENCO. The RDO/Bhupalapally vide letter dt:09.07.2018 has stated that compensation in respect of Govt. land could not be finalized as enjoyers of assigned land are other than assignees and some are encroachers.

3. The above land was acquired in terms of land Acquisition Act, 1984 and the said act has not been in force and replaced with Act No.30 of 2013 i.e., RFCTLA RR Act, 2013 came into force w.e.f. 01.01.2014. According to the said Act, wherever the lands acquired in terms of L.A. Act 1984, but payment not

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made in all such cases fresh requisition has to be made for and the relevant compensation should be finalized in terms of section 26 of the Act. Accordingly, TSGENCO has filed fresh requisition for the above lands with the RDO/Bhupalapally vide letter dated:28.11.2018. The RDO/Bhupalapally has advised to get the exemption from conducting Socio Impact Assessment (SIA) study for the above lands from the State Government as per Section 10A (6) in Chapter IIIA of Right to Fair Compensation and Transparency in Land Acquisition (Telangana Amendment) 2016, for early completion of the land acquisition of the assigned lands to an extent of Ac 49.21 Gts.

4. In light of the above, the CMD, TSGENCO has stated that TSGENCO is in urgent need of above lands as 1x600 MW KTPP Stage-II unit was commissioned on 24.03.2016 and the unit is under commercial operation, since then facing much difficulty in feeding coal to KTPP Stage-II (1x600MW) from single conveyor. TSGENCO has taken up the Construction of Additional Coal Handling Plant to feed the coal required for (1x600MW) Stage-II unit. But the construction works are being frequently obstructed by assignees on the ground that compensation for the lands lost by them was not paid. Further, the acquisition of lands under RFCTLA&RR Act, 2013 with the provisions of Chapter-II & III involves conducting social impact assessment (SIA) study by a committee, appraisal of food security, provision to safeguard security under chapter-III etc., which may further delay the acquisition of above lands as the requisition of the lands was made during 2006 and amounts deposited during the year 2013.

5. The CMD, TSGENCO has requested to exempt the above lands from conducting Social Impact Assessment (SIA) study in acquisition so as to speed up the land acquisition process as the same is long pending.

6. Government after careful consideration and examination of the provisions made in the Acts 1 to 3 read above decided to issue notification in Form-A duly exempting the aforementioned lands from conducting SIA Study under Chapter II and III of RFCTLARR Act, 2013 for construction of belt conveyor, auxiliaries & coal storage shed in public interest.

7. The following Notification shall be published in the next Extra Ordinary Issue of Telangana Gazette.

NOTIFICATION

“In exercise of the provisions contained in Sec.10(A) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Telangana Amendment Act, 2016) in its application to the State of Telangana, the Government have decided and accordingly hereby, in the public interest, exempt the following lands required for construction of belt conveyor, auxiliaries & coal storage shed from the application of provisions of the Chapter II and Chapter III of the Act:

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Sl.No.	Extent (Ac.Gts.)	Sy.No.	Purpose
1	12.32	1154	Construction of belt conveyor, auxiliaries & coal storage shed at KTPP stage-II (1X600 MW) in Chelpur Village, Ghanpur, (M) Jayashankar Bhupalapally District.
2	16.24	1153	
3	2.09	964	
4	0.15	982	
5	3.12	1214	
6	0.28	134	
7	2.15	139	
8	0.26	136	
9	1.32	134	
10	0.17	117	
11	0.05	134	
12	0.13	123	
13	0.35	120	
14	0.05	122	
15	0.06	126	
16	0.06	124	
17	0.10	125	
18	0.11	1234	
19	4.00	1104	
20	2.00	1210	
	Ac.49.21 Gts	TOTAL EXTENT	

8. It is also certified that all the efforts have been made in finalizing the minimum extent of Land required for the said purpose.

9. The Chief Commissioner of Land Administration, Telangana State and the Chairman and Managing Director, TSGENCO, shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA

Special Chief Secretary to Government

To

The Commissioner of Stationery & Printing, Government of Telangana, Hyderabad
(with a request to publish the notification in next extraordinary issue of
Telangana Gazette and furnish (50) copies to this Department)

The Chief Commissioner of Land Administration, Hyderabad.

The Chairman and Managing Director, TSGENCO, Hyderabad.

The District Collector, Jayashankar Bhupalapally District

Copy to:-

The P.S. to Principal Secretary to CM

The P.S. to Special Chief Secretary to Government, Energy Department.

File (C.No.732/Budget.A1/2019)

SC/SF.

//Forwarded :: By Order//

SECTION OFFICER